

Notice of Allowability

Application No.

10/029,847

Examiner

Michael Burleson

Applicant(s)

FRUTH, FRANK E.

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 06/13/2006.
2. ☒ The allowed claim(s) is/are 1, 4, 6 13-22
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


DAVID MOORE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

DETAILED ACTION

Response to Arguments

1. Applicant's arguments see pages 10-15, filed 06/13/2006, with respect to claims 1,4,6 and 13-22 have been fully considered and are persuasive. The rejections of claims 1,4,6 and 13-22 have been withdrawn.

Allowable Subject Matter

2. Claims 1,4,6 and 13-22 are allowed.
3. The following is a statement of reasons for the indication of allowable subject matter: Claims 1,6 and 13 of the current application are allowed for the reasons:
4. Regarding claim 1, prior art fails to teach of transitioning an original gateway from voice mode operation to voice pass-through mode of operation after an ANS or ANSam signal is identified, if the originating gateway detects a V.8 CM signal from the originating modem prior to expiration of ANS or ANSam signal then the CM call function is identified as a data modem CM signal or a fax CM signal, if the CM call function is a data modem CM signal; then the originating gateway is transitioned into LLMR processing state and if the CM call function is the fax CM signal; the originating modem

prepares to support V.34 fax protocol and transitions the originating gateway to support V.34 fax protocol in one of the voice pass-through and V.34 fax relay mode.

5. Regarding claims 6 and 13, prior art fails to teach of suppressing a voice path to a packet network when V.8bis Cre/Mre tone is identified, determining when V.8bis Cre/Mre tone has been terminated and re-establishing the voice path, suppressing a voice path to a packet network when ANS or ANSam signal is detected, transitioning the answer gateway to a voice pass through mode when an ANS or ANSam signal is detected, transitioning the answer gateway to a data mode using LLMR processing when LLMR indication is received from the originating gateway, transitioning the answer gateway to V.34 fax processing mode when V.34 fax relay indication is received from the originating side gateway and re-establishing a voice path to the packet network, using the answering gateway when termination of communication of either the ANS or ANSam signal occurs.

6. It follows that dependent claims 4 and 14-22, are inherently allowable for depending on an allowable base claim.

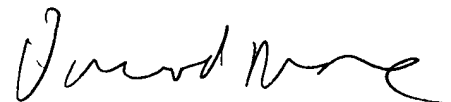
Conclusion

Any inquiry concerning this communication should be directed to Michael Burleson whose telephone number is (571) 272-7460 and fax number is (571) 273-7460. The examiner can normally be reached Monday thru Friday from 8:00 a.m. – 4:30p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached at (571) 272-7437.

Michael Burleson
Patent Examiner
Art Unit 2626



MIb
August 17, 2006



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